



MINUTES

**Quarterly meeting of the State of Tennessee
Board of Boiler Rules, 9:00 a.m., June 8, 2005
Andrew Johnson Tower, 2nd Floor Hearing Room
710 James Robertson Parkway, Nashville, TN**

- I. Chairman Lunn called the meeting to order at 9:10 a.m. Chairman Lunn recognized Commissioner Neeley who expressed his appreciation to each board member for all the work they do in representing this industry with all their expertise. He said between the Lunn and the Caldwell that a number of years of dedicated service have been served on this board. Mr. Caldwell is retiring from the Board after many years of working as a Boilermaker and on this board he has served under three Governors. Commissioner Neeley presented Clyde Caldwell with a plaque of appreciation from Governor Bredesen.

- II. **INTRODUCTIONS AND ANNOUNCEMENTS** – Chairman Lunn welcomed the newest member of the Board, Brian Morelock, who is replacing Bob Elliott. The Board members present were: Chairman Eddie Lunn, Wayne Hiter, Clyde Caldwell, Glen Johnson, Brian Morelock, and Domenic Canonico. Boiler Division staff present: Arthur Franklin, Gary Cookston, Dart Gore, Mike Fort, Sydne Ewell, Martin Toth, A.E. Rogers, Deborah Rhone and Lorelle Norris. Guests present were: Wayne Taylor, Eastman Chemical Company; Ruth Stanfelt, Eastman Chemical Company; Tony Norton, Eastman Chemical Company; Brad Norris, Boiler Supply Co., Inc.; Pauletta Caldwell; and Travis Brown, Scale Model/Historic.

- III. **CONFLICT OF INTEREST REPORTS** – Mr. Morelock said he would be abstaining from voting on the Eastman Chemical items and Chairman Lunn said there were no items of conflict on the agenda today and the report involving Boiler Supply will not require a vote. No other board members had conflicts of interest today.

- IV. **ADOPTION OF THE AGENDA** – Dr. Canonico made the motion to adopt the agenda with a second from Mr. Caldwell. Chief Toth said he had added 05-12 and 05-13 since the agenda was e-mailed to the board members. The vote was taken and the agenda was adopted.

- V. **APPROVAL OF THE MINUTES FOR THE MEETING OF MARCH 16, 2005** – Chief Toth stated that there was an error on the minutes that were e-mailed to the board members. The error was regarding the conflict of interest reports. It should read **No Board Member had a conflict of interest with any item on the agenda for this meeting. Chairman Lunn reported that he does not vote on items that are or may be connected with Boiler Supply Company and will always let that be known with an abstention vote (not voting). Due to his company's involvement with remote monitoring of high pressure boilers, Mr. Lunn also chooses to abstain (not vote) on any agenda items that pertain to boiler attendance variances.** Dr. Canonico feels that Chairman Lunn brings that expertise to the table and if he abstains on something like that, which is not a true conflict of interest, the board would be losing some good information although that was the Chairman's choice. Chief Toth agreed with Dr. Canonico that it was the Chairman's choice and further stated that even though he would not be voting does not mean he cannot present his expertise to the board. He asked Legal Counsel Ewell if it would be a conflict of interest if Chairman Lunn voted on boiler attendance variances and she replied that the only conflict of interest would be any items relating to Boiler Supply. Dr. Canonico made the

motion to approve the minutes with a second from Mr. Caldwell. After the vote was taken, the modified minutes from the previous meeting were approved.

VI. CHIEF'S REPORT – Attached to these minutes.

VII. OLD BUSINESS

Item 04-17 – Chief Toth reports on the contingent requirements of approval for the request and documentation from Siegel-Roberts Automotive, Ripley, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). – **Chief Toth has not received anything on this and makes a recommendation that this be pulled from Old Business and if Siegel-Roberts would like to, they should be required to re-submit it to the Board when they are ready to do so. Mr. Morelock made the motion to accept Chief Toth's recommendation and it was seconded by Mr. Caldwell. The vote was taken and the motion passed to drop Item 04-17 from Old Business discussion.**

Item 04-21 – Mr. T. W. (Tony) Norton, P.E. Senior Mechanical Engineer will report on the status of the contingent approval for an alteration to a "Tennessee Special" layered pressure vessel (TN# 64340, TS6694) submitted by Eastman Chemical Company, Tennessee Operations, Kingsport, TN, at the September 22, 2004 Board of Boiler Rules meeting. – **Mr. Norton reported that their fabricator for this repair has gone out of business and they are currently quoting another fabricator for repairs. Chief Toth will keep in contact with Mr. Norton and report on the status at the proper time. This will remain an open agenda Old Business item.**

VIII. NEW BUSINESS

Item 05-07 – Eastman Chemical Company, Kingsport, TN is requesting that TN# 34964 be allowed to return to the state of Tennessee as a "Tennessee Special" after out-of-state repairs is completed. – **Chief Toth explained that this is a Tennessee Special, but has lost it's data plate. Eastman is asking that it be removed from the State, repaired and then returned to the State. Chief Toth said he had no problem with the repairs being made but it just will not have an A.S.M.E. data plate. Mr. Morelock added that Eastman could do the repairs themselves, but the vessel is going out for some specialized cleaning and while there, they will add couplings for ease of future cleanings. Dr. Canonico felt he would need to look up some information before he could vote for this item. A motion was made to allow this vessel to be returned to the State of Tennessee as a Tennessee Special. Dr. Johnson made the motion and it was seconded by Mr. Caldwell. The motion carried with Dr. Canonico and Mr. Morelock abstaining.**

Item 05-08 – The Department of Labor and Workforce Development is requesting the Board approve the latest editions (2004) of both the A.S.M.E. Code and the National Board Inspection Code, pursuant to T.C.A. § 68-122-102(a). – **Dr. Canonico made the motion to approve the latest editions (2004) of both the A.S.M.E. Code and the National Board Inspection Code and their addenda with a second from Mr. Caldwell. The vote was taken and carried.**

Item 05-09 – review an application and documentation from Pen Gulf, Inc. (PGI), Charleston, TN, for a license to engage repairs and alterations on boilers and pressure vessels in Tennessee. – **After reviewing this application and documentation, Dr Canonico made the motion to**

approve the license for Pen Gulf, Inc. and the second was made from Dr. Johnson. The vote was taken and carried.

Item 05-10 – Chief Toth is requesting approval of the Board that the September Board meeting be held in conjunction with the Tennessee Boiler Inspector Fall Conference in Memphis, TN. The dates for the fall conference will be September 27-29, 2005. **Approved.**

Item 05-12 – Chief Toth's will report on the review of a request and documentation from Turney Center Industrial Farm and Prison, Only, TN, for changes to the previously Board accepted (December 5, 1990) variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). **Boiler Supply Company, Inc. provided information which was mostly editorial. Mr. Toth reminded the board that as Chief Inspector he has been given the authority to approve any variance that is considered editorial in nature. Chief Toth's reported, however, that it should be brought to the attention of the board that there will be some equipment changes. The changes mentioned are not equipment changes to the actual variance itself, that of the remote monitoring equipment, but rather changes to the boilers. The boilers in question have been inspected and registered by Deputy Inspector Randall Kelley and were found to be in good condition. Mr. Toth requested that the board allow for these changes and a re-inspection of the system. The proposed changes to the boilers were detailed in the handouts submitted by Boiler Supply Co., Inc. and Mr. Brad Norris representing the Company was available for questions. Chairman Lunn made a motion to approve the item and it was seconded by Dr. Canonico. There were no further questions or discussion on the matter. The motion was carried after the vote was taken. In addition, Mr. Toth informed the board that he would be reporting back to the Board when Mr. Norris or Turney Center contacted him for an inspection and after it was completed.**

Item 05-13 – Coorstek, Inc., Oak Ridge, TN has requested that the Board notify them of what information is needed by the Board in determining the authorization to for repairs/alterations to Tennessee Special 12-95-1 (TN#: T00273)...The proposal is to remove the corroded area of the shell, the company would like to mill .196" of material from the shell. The removed material will not be replaced. **Chief Toth said the Board had the Chief Inspector the authority to authorize and accept any repairs to Tennessee Specials but this item, in his opinion, seemed to be an alteration and not a repair. Initially the caller, Mr. Ron Howard, from ABB AutoCleave Systems, Inc. indicated that .030 be taken off. Mr. Howard later apologized and said that .196" would be taken off. Mr. Toth asked if the material would be replaced and they said "no". Chief Toth agreed to bring this issue before the Board and ask their recommendation as to what the Company needed to do. The removal of the material will not result in the vessel going below minimum wall, but would still be changing and deviating from the original manufacturer's data. Chief Toth also brought out that this particular vessel is currently dormant. This vessel was put out of service and the certificate expired Feb, 2005. It was determined that the Company needs to submit to the Board their specific request and the documentation to support their request. It will be initially looked at as a repair and once the Board has reviewed the documentation, it may be classified as an alteration. A motion was made by Dr. Canonico for Coorstek, Inc. to present to the Board a proposal for altering this vessel, substantiating documents, and a request for operation in the State of Tennessee for their Tennessee Special since their grace period has expired for the operation of that vessel. The motion was seconded by Wayne Hiter. The vote was**

taken and carried. Mr. Toth informed the board that he would generate the letter to Coorstek, Inc. informing them of the Board's direction in this matter.

IX. RULE CASES & INTERPRETATIONS

Item 05-11 – Eastman Chemical Company has submitted Rule Case BC05-11 requesting approval to deviate from the rules on documentation and submission of repair and alterations to pressure vessels that are under and repaired/alterd to their owner/user program. – **Ms. Stanfill gave a presentation on Eastman's forms. Mr. Taylor then explained about Eastman's use of the Repair Authorization Form and comparing it to NBIC form R1. His request was to use Eastman's repair authorization form in lieu of NBIC's R1 form. Chief Toth had brought to Mr. Taylor's attention certain items that were not on his repair authorization form that needed to be added to show sufficient information and a signature line for the inspector. Chairman Lunn made the motion to grant Tennessee Operations at Eastman Chemical's request to deviate from the rules on documentation and submission of repair and alterations of pressure vessels contingent upon the signature line being added, maximum allowable working pressure being added and there be some distinction recognizing the latest editions from NBIC, addenda and ASME. Also Tennessee Commission and National Board Commission numbers need to be added. Mr. Hiter seconded the motion. The motion carried after the vote was taken with Mr. Morelock abstaining.**

- X. THERE WAS ONE (1) APPLICANT WHO SAT FOR THE NATIONAL BOARD COMMISSION EXAMINATION ON JUNE 1 & 2, 2005.
- XI. THE NEXT BOILER BOARD MEETING IS SCHEDULED FOR SEPTEMBER 28, 2005 IN MEMPHIS, TN.
- XII. ADJOURNMENT at 11:25 a.m.